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10 *Attorneys for Plaintiffs and the Class*

13 UNITED STATES DISTRICT COURT
14 FOR THE EASTERN DISTRICT OF CALIFORNIA

15
16 DAVID M. FRIEDMAN *et al.*,
17 On behalf of all others similarly situated,
18 *Plaintiffs,*
19 v.
20 CALIFORNIA STATE EMPLOYEES
21 ASSOCIATION *et al.*,
22 *Defendants.*
23

Case No. CIV-S-00-00101 WBS/DAD

CLASS ACTION

**STIPULATION AND ORDER
SUBMITTING THE MOTION TO ENTER
JUDGMENT ON THE RECORD**

HEARING DATE: March 1, 2010

TIME: 2:00 p.m.

**Courtroom of Judge William B. Shubb,
Courtroom 5, 14th Floor, Sacramento, CA**

26 Pursuant to L.R. 143 and 230(g), Plaintiffs David M. Friedman *et al.*, and Defendant
27 California State University Employees Union, SEIU Local 2579, California State Employees
28

1 Association,¹ and Defendant State Controller John Chiang,² by and through their undersigned
2 counsel, hereby respectfully submit the following Stipulation Submitting the Motion to Enter
3 Judgment on the Record and Briefs on File:

4 1. On January 28, 2010, Plaintiffs filed their Amended Motion for Entry of
5 Judgment (Doc. No. 267) and related papers (Doc. Nos. 268-270).

6 2. Both Defendants filed Statements of Non-Opposition to Plaintiffs' Amended
7 Motion for Entry of Judgment (Doc. Nos. 271 & 274).

8 3. Counsel for Plaintiffs and Defendants wish to submit the Motion for Entry of
9 Judgment on the record and without oral argument.³

10 DATED: February 19, 2010

11 Respectfully submitted,



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28 ¹This is the current correct name of the defendant initially sued as "Defendant California
State Employees Association, Local 1000, Service Employees International Union, AFL-CIO,
CLC."

²Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, State Controller John
Chiang is automatically substituted as a defendant in this matter in place of his predecessor and
original defendant, Kathleen Connell.

³If the Court has any questions for counsel or wishes to proceed with oral argument, all
counsel request that they be permitted to attend the hearing by telephone: Milton L. Chappell at
(301) 770-3329; Jeffrey B. Demain at (415) 421-7151; Douglas J. Woods at (916) 324-4663.

1 **IT IS SO STIPULATED.**

2 Dated: February 19, 2010

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SEIU Local 2579, California State Employees Association
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7 /s/ Jeffrey B. Demain (as authorized on Feb. 19, 2010)

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*Attorneys for Defendant California State University
Employees Union, SEIU Local 2579, California State
Employees Association*

15 Dated: February 19, 2010

Edmund G. Brown, Jr.
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17 /s/ Douglas J. Woods (as authorized on Feb. 19, 2010)

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*Attorneys for Defendant John Chiang,
Controller of the State of California*

25 **T IS SO ORDERED.**

26 Dated: February 24, 2010



27 WILLIAM B. SHUBB
28 UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I hereby certify, under penalty of perjury, that a true and correct copy of this Stipulation and Order Submitting Motion to Enter Judgment was deposited in the United States Mail, first-class postage pre-paid, addressed to:

Nancy T. Yamada
Cal State University Employees Union, SEIU Local 2579
California State Employees Association
1108 "O" Street, 5th Floor
Sacramento, CA 95814
*Attorney for Defendant California State University Employees Union, SEIU Local 2579,
California State Employees Association*

I further certify, under penalty of perjury, that I electronically filed with the Clerk of the Court the foregoing Stipulation and Order Submitting Motion to Enter Judgment, using the CM/ECF system which will send notification of such filing to

Jeffrey B. Demain
*Attorney for Defendant California State University Employees Union, SEIU Local 2579,
California State Employees Association*

Douglas J. Woods
Attorney for Defendant John Chiang, Controller of the State of California

All of these actions were taken on the 22nd day of February, 2010.


Milton L. Chappell, Esq. (*pro hac vice*)